

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-05

H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02

SS-15 USIA-06 MCT-01 SY-05 HA-05 FBIE-00 USPS-01

/096 W

-----052912 311001Z /10

R 301430Z MAR 78

FM AMCONSUL JOHANNESBURG

TO SECSTATE WASHDC 7481

INFO AMCONSUL CAPE TOWN

AMCONSUL DURBAN

AMEMBASSY PRETORIA

AMEMBASSY LONDON

USMISSION USUN NEW YORK

C O N F I D E N T I A L JOHANNESBURG 0820

CAPE TOWN FOR EMBASSY

E.O. 11652: XGDS-4

TAGS: PINT, SHUM, SF

SUBJECT: TRIAL OF ENOCH DUMA

REF: (A) JOHANNESBURG MEMCON OF 10/21/77 (NOTAL), (B) PRETORIA
0936 (NOTAL)

1. BE MODISE (REF MEMCON) APPEARED AT CONGEN IN VERY SHAKEN
STATE TODAY (MARCH 30) BECAUSE HE HAS DISCOVERED THAT
SECURITY POLICE WOULD LIKE TO USE HIM AS STATE WITNESS
AGAINST DUMA.

2. MODISE FIRST LEARNED OF POLICE PLAN FROM MRS. DUMA.
HE SUBSEQUENTLY RECEIVED CALL FROM A LIEUTENANT VAN RENSBERG
OF JOHN VORSTER SQUARE REQUESTING A MEETING. THIS IS SAME
OFFICER WHO QUESTIONED MODISE EARLIER (REF MEMCON) ON HIS
RELATIONSHIP WITH DUMA. MODISE AGREED TO THIS MEETING, BUT
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SUGGESTED THAT IT TAKE PLACE IN HIS (MODISE'S) DOWNTOWN OFFICE.
ACCORDING TO MODISE VAN RENSBERG AGREED BUT NEVER KEPT
APPOINTMENT, CALLING MODISE A FEW DAYS LATER AND ASKING HIM
TO COME TO JOHN VORSTER SQUARE ON MARCH 30 AT 0800. ALTHOUGH
MODISE SAID YES, HE LATER HAD SECOND THOUGHTS AND CAME TO
THE CONGEN INSTEAD.

3. BECAUSE MODISE IS A CLOSE FRIEND OF DUMA HE IS AFRAID THE POLICE WILL TRY TO FORCE HIM TO TESTIFY AGAINST HIM. THE NEGATIVE TESTIMONY OF A CLOSE FRIEND COULD WELL HELP THE POLICE TO A CONVICTION. MODISE SAID THE POLICE CASE AGAINST DUMA IS WEAK, AND ALTHOUGH THE STATE HAS ASSEMBLED 45 WITNESSES TO TESTIFY, THE FACT THAT MOST OF THEM ARE POLICE AND OTHER GOVERNMENT EMPLOYEES WOULD RAISE SERIOUS QUESTIONS RE THE CREDIBILITY OF THEIR TESTIMONY.

4. MODISE STATED THAT HE WOULD NEVER VOLUNTARILY TESTIFY AGAINST DUMA, FIRSTLY BECAUSE HE IS HIS FRIEND, AND MORE IMPORTANTLY, BECAUSE HE BELIEVES DUMA IS INNOCENT. HE EXPRESSED THE FEAR THAT THE POLICE WOULD USE FORCE IN THEIR EFFORTS TO GET HIM TO SIGN A STATEMENT, AND HAD HE KEPT THE MARCH 30 APPOINTMENT, HE MIGHT SUFFER THE FATE OF MANY OTHER PAST DETAINEES.

5. AT THIS POINT MODISE BEGAN TO WEEP AND TOLD CONSOFF HE WAS VERY FRIGHTENED. HE IS FEARFUL OF BEING PICKED UP BY POLICE AND HAS NOT REPORTED FOR WORK IN SEVERAL DAYS. HE THOUGHT OF SEEKING THE ADVICE OF AN ATTORNEY, BUT FELT THAT AN ATTORNEY WOULD BE OF LITTLE USE TO HIM ONCE HE WAS IN POLICE CUSTODY, AS HE WOULD NOT DOUBT BE HELD UNDER SECTION SIX. HE STRONGLY BELIEVES THAT HIS ONLY HOPE FOR SURVIVAL WOULD BE TO LEAVE THE COUNTRY AS QUICKLY AS POSSIBLE. MODISE HAS A VALID PASSPORT AND HE INDICATED THAT HE MORE

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THAN LIKELY WILL FLY OFF TO LONDON THIS EVENING. (MODISE HAS A VALID VISITOR VISA FOR US. HE SAID HE MIGHT VISIT FRIENDS THERE SOMETIME IN THE NEAR FUTURE.)
JOHNSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978JOHANN00820
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X4
Errors: N/A
Expiration:
Film Number: D780139-1095
Format: TEL
From: JOHANNESBURG
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978039/aaaaahnz.tel
Line Count: 98
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 64de0fcb-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 JOHANNESBURG 10, 78 PRETORIA 8
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3395541
Secure: OPEN
Status: NATIVE
Subject: TRIAL OF ENOCH DUMA
TAGS: PINT, SHUM, SF, (DUMA, ENOCH), (MODISE, BE)
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/64de0fcb-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014